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Letter dated 10 November 2008 from the Permanent Representative of Costa Rica to the United Nations addressed to the President of the Security Council

As you know, Security Council members agreed to the proposal of Costa Rica to hold an open debate in the Council on 19 November.

I have the honour to enclose, on behalf of my delegation, a concept paper for that debate (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jorge **Urbina**
Permanent Representative

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Annex to the letter dated 10 November 2008 from the Permanent Representative of Costa Rica to the United Nations addressed to the President of the Security Council

Concept paper presented by Costa Rica

Strengthening collective security through general regulation and reduction of armaments: the safest road to peace and development

Security Council thematic debate
19 November 2008

Introduction/ Background

1. According to Article 24 of the Charter, the Security Council has the primary responsibility for the maintenance of international peace and security, acting on behalf of all Member States. It also has the obligation to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources. To do so, the Security Council is mandated to formulate plans to be considered by the General Assembly for the establishment of a system for the regulation of armaments (Article 26).

2. Both the General Assembly and the Security Council have explicitly recognized and accepted the necessity of a general regulation and reduction of armaments and armed forces, with a view towards strengthening international peace and security, regarding the problem of security as closely connected with that of disarmament (General Assembly Resolution 41(1) and Security Council Resolution 18(1947).

3. The historical situation that confronted the Security Council in the forty years following these resolutions meant that it was not propitious for the Council to take up the aforementioned mandates. However, that situation changed in the 1990s and, with the situation confronting the world in 2008, it is now entirely appropriate and indeed necessary for the Council to revisit these fundamental responsibilities bestowed on it by the Charter.

4. In the context of the challenges and opportunities of the twenty-first century, the regulation or limitation of armaments should be understood as one element of the broader and more comprehensive design for the maintenance of international peace and security. It should be seen as part of the toolkit the United Nations has at its disposal to enhance the stability of international relations, development and the peaceful settlement of disputes.

5. Within the United Nations there is a clear division of labour in this field. Article 11.1 of the Charter defines in more detail the general authority of the General Assembly to discuss any matter or question within the scope of the Charter, highlighting the general principles of co-operation in the maintenance of international peace and security and the principles governing disarmament and the regulation of armaments. It also grants the Assembly authority to make recommendations to the Security Council and/or to Member States. The Council, by contrast, pursuant to Article 26, has specific responsibilities to promote the establishment and maintenance of international peace and security through, inter alia, proposing concrete plans for the establishment of a system for the regulation of armaments to be approved by the Assembly.

6. There are therefore concurrent responsibilities for both the General Assembly and the Security Council. Acting on the 1947 recommendations of the Assembly, the Council should start considering, with the support of the Secretariat and the all too obscure Military Staff Committee, concrete and actionable proposals on this important issue, particularly if we acknowledge that in the absence of international coordination, military spending is liable to be excessive.

7. This should also serve as an opportunity to comply with the request made by the Heads of State and Government during the 2005 World Summit to consider the composition, mandate and working methods of the Military Staff Committee.

8. Since peace and security, development and human rights are interlinked and mutually reinforcing, only an effective multilateral system of collective security, based on a new security consensus, can achieve the lofty goal of saving future generations from the scourge of war.

9. The multiple and complex challenges the world is facing today should serve as an incentive to revisit the implementation of Article 26 of the Charter. There is a need to develop a new security consensus that, among other things, factors in the price of inaction, or ineffective action, of the collective security mechanisms and the armaments race it promotes.

Objectives / Challenges

10. Today, perhaps more than ever before, it should be absolutely clear that the peoples of the world will not enjoy development without security, will not enjoy security without development and will not enjoy either without respect for human rights. Unless all these goals are simultaneously advanced, none will succeed.

11. The World Summit Outcome (General Assembly resolution 60/1) reaffirmed in 2005 the vital importance of an effective multilateral system, in accordance with international law, to better address the multifaceted and interconnected challenges and threats confronting our world. It also reaffirmed the importance of an effective multilateral system to achieve progress in the areas of peace and security, development and human rights, which are the pillars of the United Nations system and the foundations for collective security and well-being.

12. However, multilateralism, the notion of collective security and the authority of the Security Council as its primary guarantor have seen their foundations eroded or questioned.

13. We need to ensure that States abide by the treaties they have signed and ratified so that all can continue to obtain the benefits. Within this context, no treaty is more important than the Charter. More consistent monitoring, more effective implementation and, where necessary, firmer enforcement of treaty obligations are essential if States are to have confidence in multilateral mechanisms and use them to avoid conflict. This seems to be the rationale behind the special powers given to the Security Council to ensure prompt and effective action in the maintenance of international peace and security.

14. We are at a crucial stage of transformation in the international system. We need to develop a common vision and recommit to multilateralism and to the rule of law at the international level.

15. Collective security today depends on effective cooperation among the United Nations and regional organizations, as well as on accepting that the threats perceived by each region of the world as most urgent are, in fact, equally important for all.

16. Experience demonstrates that regional arrangements and organizations play a pivotal role in the promotion and maintenance of international peace and security. This synergy is stressed in Chapter VIII of the Charter, and has been later considered in several presidential statements and Security Council resolutions, inter alia, resolutions 1625 (2005),1631 (2005) and 1809 (2008).

17. A constructive and proactive interaction between such regional arrangements and the Security Council needs to be further developed. There is an urgent need to go beyond mere recognition of the fact that regional organizations are well positioned to understand the root causes of armed conflicts owing to their knowledge of the region, and that this can be a benefit for their efforts to influence the prevention or resolution of these conflicts. This partnership should also be activated in the context of the work of the Council on the regulation of armaments, under Article 26.

18. An enhanced system of regional arrangements, duly coordinated, mandated and supported by the United Nations, in particular by the Security Council, can help prevent and positively address conflict, including its root causes and triggers.

19. The public good of national security can potentially be supplied both more reliably and more cheaply by regional cooperation. If the "neighbourhood" could credibly commit to respecting the security of each country by maintaining collectively agreed levels of military spending, with the Security Council and regional organizations serving as effective guarantors of compliance, national security would be enhanced relative to the more precarious peace of mutual deterrence, and substantial resources would be spared for other uses, including for development.

20. This approach could help the international community, in particular developing countries, to overcome the vicious armaments race that seems to be gaining momentum in several regions of the world, competing with the prioritization of social expenditure and the international agreed development goals, including the Millennium Development Goals, and negatively affecting human security.

21. The responsibility and mandate of the Security Council goes beyond the mere maintenance of international peace and security. It also includes the obligation to actively promote its establishment and maintenance with the least diversion for armaments of the world's human and economic resources. Current developments and circumstances require that we urgently build consensus on major threats and challenges and translate that consensus into concrete action, including addressing the root causes of those threats and challenges with resolve and determination.